

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

[1] A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 17 September 2010 has been entered.

Notice to Applicant

[2] This communication is in response to the Amendment the Request for Continued Examination (RCE) filed 17 September 2010 and the Examiner's Amendment agreed to in the Examiner Initiated Interview of 19 September 2010.

As per the amendment/RCE filed 17 September 2010: Claims 1-24 have been cancelled and claims 25-44 are have been added.

Pursuant to the Interview and Examiner's Amendment agreed to during the Interview of 17 September 2010, claims 25-32 and 34 have been cancelled, claims 33, 35, 36, 40, and 41 have been amended, and claims 45-53 have been added.

Claims 33 and 35-53 are pending. Claims 33 and 35-53 are allowed.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

[2] Previous rejection(s) of claims 1, 4, and 5 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention have been overcome by cancellation of the subject claims and are hereby withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

[3] Previous rejection(s) of claims 1, 4-5, 7-10, 12, 14-19, and 21-23 under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (U.S. 6,067,525) in view of Johnson et al. (U.S. 2002/0006126) and further in view of Malec (U.S. 4,973,952) have been overcome by cancellation of the subject claims.

Allowable Subject Matter

[4] Claims 33 and 35-53 are allowed.

Claims 25-32 and 34 are cancelled by Examiner's Amendment below. Claims 33 and 35-53 are allowed as entered by the Examiner's Amendment below.

EXAMINER'S AMENDMENT

[5] An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jeremy Monaldo (Reg. #58,680) on 19 September 2010.

The application has been amended as follows:

This listing of claims replaces all prior versions and listings of claims in the application:

1-32. (Cancelled)

33. (Currently Amended) A method comprising:
detecting, in an interaction between a sales agent and a customer, spoken words of at least one of the sales agent and the customer;
determining a first geographic location relevant to the interaction between the sales agent and the customer;
based on the determination of the first geographic location relevant to the interaction between the sales agent and the customer, determining a first product type associated with the first geographic location relevant to the interaction between the sales agent and the customer;

filtering data associated with the detected spoken words to prioritize identification of a first context relevant to the first product type associated with the first geographic location relative to identification of a context relevant to a second product type associated with a second geographic location, the second product type being different than the first product type and the second geographic location being different than the first geographic location;

determining, by a processor, a context of the interaction based on the filtering;

linking the determined context to stored product information relevant to the determined context of the interaction;

retrieving, by a processor, the stored product information relevant to the determined context of the interaction; and

providing the retrieved information in an electronically presentable format to the sales agent,

wherein detecting, in the interaction between the sales agent and the customer, spoken words of at least one of the sales agent and the customer comprises detecting, in an interaction between a sales agent and a customer occurring in a retail sales store, spoken words of at least one of the sales agent and the customer;

wherein determining the first geographic location relevant to the interaction between the sales agent and the customer comprises determining a first location in the retail sales store where the interaction between the sales agent and the customer is occurring;

wherein determining the first product type associated with the first geographic location relevant to the interaction between the sales agent and the customer comprises determining a first product type located in an area of the retail sales store that corresponds to the first location in the retail sales store where the interaction between the sales agent and the customer is occurring; and

wherein filtering data associated with the detected spoken words to prioritize identification of a context relevant to the first product type associated with the first geographic location relative to identification of a context relevant to a second product type associated with a second geographic location comprises filtering data associated with the detected spoken words to prioritize identification of a context relevant to the first product type located in the area of the retail sales store that corresponds to the first location in the retail sales store where the interaction between the sales agent and the customer is occurring relative to identification of a context

relevant to a second product type located in another area of the retail sales store that does not correspond to the first location in the retail sales store where the interaction between the sales agent and the customer is occurring.

34. (Cancelled)

35. (Currently Amended) The method of claim [[34]] 33, wherein filtering data associated with the detected spoken words to prioritize identification of a context relevant to the first product type located in the area of the retail sales store that corresponds to the first location in the retail sales store where the interaction between the sales agent and the customer is occurring relative to identification of a context relevant to a second product type located in another area of the retail sales store that does not correspond to the first location in the retail sales store where the interaction between the sales agent and the customer is occurring comprises looking only for information concerning products that fall into a specific department associated with the area of the retail sales store that corresponds to the first location in the retail sales store where the interaction between the sales agent and the customer is occurring, rather than looking for information concerning products offered in the entire retail sales store.

36. (Currently Amended) The method of claim [[34]] 33, wherein providing the retrieved information in an electronically presentable format to the sales agent comprises displaying, on a portable computer used by the sales agent, the retrieved information such that the sales agent and the customer are able to view the displayed information on the portable computer together at the first location in the retail sales store.

37. (Previously Presented) The method of claim 36, wherein providing the retrieved information in an electronically presentable format to the sales agent further comprises:

determining that the retrieved information includes too much content to be readably displayed on the portable computer used by the sales agent;

in response to determining that the retrieved information includes too much content to be readably displayed on the portable computer used by the sales agent, providing, to the sales

agent, a list of available displays that have a larger screen than the portable computer used by the sales agent and that are located in the retail sales store nearby the first location in the retail sales store where the interaction between the sales agent and the customer is occurring;

receiving, based on input provided by the sales agent, selection of a display included in the list of available displays that have a larger screen than the portable computer used by the sales agent and that are located in the retail sales store nearby the first location in the retail sales store where the interaction between the sales agent and the customer is occurring; and

based on the selection, routing the retrieved information to the selected display.

38. (Previously Presented) The method of claim 33, wherein detecting, in the interaction between the sales agent and the customer, spoken words of at least one of the sales agent and the customer comprises detecting, in an interaction between a sales agent and a customer, spoken words of both the sales agent and the customer.

39. (Previously Presented) The method of claim 33, wherein providing the retrieved information in an electronically presentable format to the sales agent comprises displaying, on a portable computer used by the sales agent, the retrieved information and providing, through a headset used by the sales agent, an audible signal acknowledging availability of displayed information on the portable computer used by the sales agent.

40. (Currently Amended) A sales support tool comprising:
a data processing system;
an audio input device configured to non-obtrusively detect at least part of a conversation between a sales agent and a customer;
programming code operational with the data processing system to:
detect, in an interaction between a sales agent and a customer, spoken words of at least one of the sales agent and the customer;
determine a first geographic location relevant to the interaction between the sales agent and the customer;

based on the determination of the first geographic location relevant to the interaction between the sales agent and the customer, determine a first product type associated with the first geographic location relevant to the interaction between the sales agent and the customer;

filter data associated with the detected spoken words to prioritize identification of a first context relevant to the first product type associated with the first geographic location relative to identification of a context relevant to a second product type associated with a second geographic location, the second product type being different than the first product type and the second geographic location being different than the first geographic location;

determine a context of the interaction based on the filtering;

link the determined context to stored product information relevant to the determined context of the interaction;

retrieve, by a processor, the stored product information relevant to the determined context of the interaction; and

provide the retrieved information in an electronically presentable format to the sales agent,

wherein the programming code is operational with the data processing system to detect, in the interaction between the sales agent and the customer, spoken words of at least one of the sales agent and the customer by detecting, in an interaction between a sales agent and a customer occurring in a retail sales store, spoken words of at least one of the sales agent and the customer;

wherein the programming code is operational with the data processing system to determine the first geographic location relevant to the interaction between the sales agent and the customer by determining a first location in the retail sales store where the interaction between the sales agent and the customer is occurring;

wherein the programming code is operational with the data processing system to determine the first product type associated with the first geographic location relevant to the interaction between the sales agent and the customer by determining a first product type located in an area of the retail sales store that corresponds to the first location in the retail sales store where the interaction between the sales agent and the customer is occurring; and

wherein the programming code is operational with the data processing system to filter data associated with the detected spoken words to prioritize identification of a context relevant to the first product type associated with the first geographic location relative to identification of a context relevant to a second product type associated with a second geographic location by filtering data associated with the detected spoken words to prioritize identification of a context relevant to the first product type located in the area of the retail sales store that corresponds to the first location in the retail sales store where the interaction between the sales agent and the customer is occurring relative to identification of a context relevant to a second product type located in another area of the retail sales store that does not correspond to the first location in the retail sales store where the interaction between the sales agent and the customer is occurring.

41. (Currently Amended) A method comprising:

detecting, in an interaction between a sales agent and a customer occurring in a retail sales store, spoken words of at least one of the sales agent and the customer;

determining a first location in the retail sales store where the interaction between the sales agent and the customer is occurring;

based on the determination of the first location in the retail sales store where the interaction between the sales agent and the customer is occurring, processing the detected spoken words by:

focusing on identifying keywords related to products found in an area of the retail sales store that corresponds to the first location in the retail sales store where the interaction between the sales agent and the customer is occurring, and

avoiding keywords related to products found in other areas of the retail sales store that do not correspond to the first location in the retail sales store where the interaction between the sales agent and the customer is occurring;

determining, by a processor, a context of the interaction based on the processing of the detected spoken words;

linking the determined context to stored product information relevant to the determined context of the interaction;

retrieving, by a processor, the stored product information relevant to the determined context of the interaction; and

providing the retrieved information in an electronically presentable format to the sales agent.

42. (Previously Presented) The method of claim 41, wherein focusing on identifying keywords related to products found in an area of the retail sales store that corresponds to the first location in the retail sales store where the interaction between the sales agent and the customer is occurring and avoiding keywords related to products found in other areas of the retail sales store that do not correspond to the first location in the retail sales store where the interaction between the sales agent and the customer is occurring comprises looking only for information concerning products that fall into a specific department associated with the area of the retail sales store that corresponds to the first location in the retail sales store where the interaction between the sales agent and the customer is occurring, rather than looking for information concerning products offered in the entire retail sales store.

43. (Previously Presented) The method of claim 41, wherein detecting, in the interaction between the sales agent and the customer occurring in the retail sales store, spoken words of at least one of the sales agent and the customer comprises detecting, in an interaction between a sales agent and a customer occurring in a retail sales store, spoken words of both the sales agent and the customer.

44. (Previously Presented) The method of claim 41, wherein providing the retrieved information in an electronically presentable format to the sales agent comprises displaying, on a portable computer used by the sales agent, the retrieved information and providing, through a headset used by the sales agent, an audible signal acknowledging availability of displayed information on the portable computer used by the sales agent.

45. (New) A sales support tool comprising:
- a data processing system;
 - an audio input device configured to non-obtrusively detect at least part of a conversation between a sales agent and a customer; and
 - programming code operational with the data processing system to:
 - detect, in an interaction between a sales agent and a customer occurring in a retail sales store, spoken words of at least one of the sales agent and the customer;
 - determine a first location in the retail sales store where the interaction between the sales agent and the customer is occurring;
 - based on the determination of the first location in the retail sales store where the interaction between the sales agent and the customer is occurring, process the detected spoken words by:
 - focusing on identifying keywords related to products found in an area of the retail sales store that corresponds to the first location in the retail sales store where the interaction between the sales agent and the customer is occurring, and
 - avoiding keywords related to products found in other areas of the retail sales store that do not correspond to the first location in the retail sales store where the interaction between the sales agent and the customer is occurring;
 - determine a context of the interaction based on the processing of the detected spoken words;
 - link the determined context to stored product information relevant to the determined context of the interaction;
 - retrieve the stored product information relevant to the determined context of the interaction; and
 - provide the retrieved information in an electronically presentable format to the sales agent.

46. (New) The sales support tool of claim 45, wherein focusing on identifying keywords related to products found in an area of the retail sales store that corresponds to the first location in the retail sales store where the interaction between the sales agent and the customer is occurring and avoiding keywords related to products found in other areas of the retail sales store that do not correspond to the first location in the retail sales store where the interaction between the sales agent and the customer is occurring comprises looking only for information concerning products that fall into a specific department associated with the area of the retail sales store that corresponds to the first location in the retail sales store where the interaction between the sales agent and the customer is occurring, rather than looking for information concerning products offered in the entire retail sales store.

47. (New) The sales support tool of claim 45, wherein the programming code is operational with the data processing system to detect, in the interaction between the sales agent and the customer occurring in the retail sales store, spoken words of at least one of the sales agent and the customer by detecting, in an interaction between a sales agent and a customer occurring in a retail sales store, spoken words of both the sales agent and the customer.

48. (New) The sales support tool of claim 45, wherein the programming code is operational with the data processing system to provide the retrieved information in an electronically presentable format to the sales agent by displaying, on a portable computer used by the sales agent, the retrieved information and providing, through a headset used by the sales agent, an audible signal acknowledging availability of displayed information on the portable computer used by the sales agent.

49. (New) The sales support tool of claim 40, wherein the programming code is operational with the data processing system to filter data associated with the detected spoken words to prioritize identification of a context relevant to the first product type located in the area of the retail sales store that corresponds to the first location in the retail sales store where the interaction between the sales agent and the customer is occurring relative to identification of a context relevant to a second product type located in another area of the retail sales store that does not correspond to the first location in the retail sales store where the interaction between the sales agent and the customer is occurring by looking only for information concerning products that fall into a specific department associated with the area of the retail sales store that corresponds to the first location in the retail sales store where the interaction between the sales agent and the customer is occurring, rather than looking for information concerning products offered in the entire retail sales store.

50. (New) The sales support tool of claim 40, wherein the programming code is operational with the data processing system to provide the retrieved information in an electronically presentable format to the sales agent by displaying, on a portable computer used by the sales agent, the retrieved information such that the sales agent and the customer are able to view the displayed information on the portable computer together at the first location in the retail sales store.

51. (New) The sales support tool of claim 50, wherein the programming code is operational with the data processing system to provide the retrieved information in an electronically presentable format to the sales agent further by:

determining that the retrieved information includes too much content to be readably displayed on the portable computer used by the sales agent;

in response to determining that the retrieved information includes too much content to be readably displayed on the portable computer used by the sales agent, providing, to the sales agent, a list of available displays that have a larger screen than the portable computer used by the

sales agent and that are located in the retail sales store nearby the first location in the retail sales store where the interaction between the sales agent and the customer is occurring;

receiving, based on input provided by the sales agent, selection of a display included in the list of available displays that have a larger screen than the portable computer used by the sales agent and that are located in the retail sales store nearby the first location in the retail sales store where the interaction between the sales agent and the customer is occurring; and

based on the selection, routing the retrieved information to the selected display.

52. (New) The sales support tool of claim 40, wherein the programming code is operational with the data processing system to detect, in the interaction between the sales agent and the customer, spoken words of at least one of the sales agent and the customer by detecting, in an interaction between a sales agent and a customer, spoken words of both the sales agent and the customer.

53. (New) The sales support tool of claim 40, wherein the programming code is operational with the data processing system to provide the retrieved information in an electronically presentable format to the sales agent by displaying, on a portable computer used by the sales agent, the retrieved information and providing, through a headset used by the sales agent, an audible signal acknowledging availability of displayed information on the portable computer used by the sales agent.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to R. David Rines whose telephone number is (571)272-5585. The examiner can normally be reached on 8:30am - 5:00pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Boswell can be reached on 571-272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R. David Rines/
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